

Message Text

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APPROVED BY THE DEPUTY SECRETARY
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O R 201606Z FEB 74
FM SECSTATE WASHDC
TO AMEMBASSY ROME IMMEDIATE
INFO AMEMBASSY TRIPOLI

C O N F I D E N T I A L STATE 033484

E.O.11652: GDS
TAGS: MILI, PFOR, IT, LY
SUBJECT: ITALIAN SHIPMENT OF APC'S TO LIBYA
REF: STATE 02435

1. DURING CALL ON DEPUTY SECRETARY RUSH FEBRUARY 19, AMBASSADOR ORTONA SAID THAT IN VIEW OF POSSIBLE VISIT BY LIBYAN PRIME MINISTER JALLUD TO ITALY NEXT WEEK, HE HAD RECEIVED INSTRUCTIONS TO PRESS CASE FOR AUTHORIZING ITALIAN SHIPMENT OF APC'S TO LIBYA. HE REITERATED PREVIOUS RATIONALE FOR ITALIAN SHIPMENT, INCLUDING PERSONAL INTEREST OF PRIME MINISTER RUMOR, EXPRESSED UNDERSTANDING THAT THIS WAS A "DIFFICULT MOMENT" IN LIGHT OF LIBYAN ACTIONS AND GENERAL SITUATION IN THE MIDDLE EAST, AND THEN SAID HE WAS MAKING APPEAL ON BASIS OF US-ITALIAN RELATIONS.

2. IN RESPONSE THE DEPUTY SECRETARY POINTED OUT THAT UNDER U.S. LEGISLATION, IF WE WERE TO PERMIT THE GOI TO
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TRANSFER APC'S TO LIBYA, WE WOULD ALSO HAVE TO BE IN

POSITION TO AUTHORIZE U.S. MANUFACTURERS TO SHIP MILITARY ITEMS TO LIBYA. AT THE PRESENT TIME WE ARE NOT REPEAT NOT AUTHORIZING U.S. SHIPMENTS TO LIBYA IN VIEW OF THE EXISTING STATE OF U.S.-LIBYAN RELATIONS AND OUR DESIRE TO ASSESS DEVELOPMENTS IN THE MIDDLE EAST. UNDER THE CIRCUMSTANCES WE ARE, WITHOUT TURNING THEM DOWN, KEEPING REQUESTS FOR EXPORT LICENSES FROM U.S. MANUFACTURERS UNDER CONSIDERATION.

WE WOULD THUS HAVE TO CHANGE OUR POSITION VIS-A-VIS U.S. MANUFACTURERS IN ORDER TO AUTHORIZE ITALIAN SHIPMENTS. IF WE PROCEEDED OTHERWISE, WE WOULD BE LEFT VULNERABLE TO LEGAL CHALLENGES BY THE U.S. CONGRESS AND U.S. MANUFACTURERS WHO HAVE BEEN UNABLE TO OBTAIN EXPORT LICENSES.

3. DEPUTY SECRETARY THEN SUGGESTED THAT IN VIEW OF THE FOREGOING, WE DO NOT FEEL THAT THE GOI SHOULD HAVE TO BEAR THE ONUS OF BLAME FROM LIBYA. THE GOI MIGHT SIMPLY TELL LIBYA THAT ITALY IS BOUND BY AGREEMENT WITH U.S. TO OBTAIN ITS AUTHORIZATION FOR THIS SHIPMENT, THAT ALTHOUGH ITALY HAS PRESSED USG FOR APPROVAL, USG IS HOLDING UP AUTHORIZATION AND CONTINUES TO KEEP MATTER "UNDER ADVISEMENT", THUS MATTER IS BEYOND ITALY'S CONTROL. ITALIANS MIGHT ALSO MENTION TO LIBYANS LEGISLATIVE REQUIREMENT THAT USG WOULD HAVE TO AUTHORIZE U.S. MANUFACTURERS TO MAKE SHIPMENTS TO LIBYA IF IT APPROVED GOI SHIPMENT; THE LIBYANS ARE WELL AWARE THAT THEY HAVE NOT BEEN RECEIVING ANY SHIPMENTS FROM US RECENTLY.

4. IN RESPONSE TO AMBASSADOR ORTONA'S QUESTION AS TO HOW PRESENT SITUATION DIFFERS FROM 1972 WHEN USG AUTHORIZED GOI SHIPMENT OF 152 APC'S TO LIBYA, DEPUTY SECRETARY POINTED OUT THAT AT THAT TIME USG WAS AUTHORIZING CERTAIN SHIPMENTS TO LIBYA AND THEREFORE LEGISLATIVE REQUIREMENT DID NOT COME INTO QUESTION. KISSINGER

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